

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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In re

LTL MANAGEMENT LLC,¹

Debtor.

Chapter 11

Case No. 23-12825 (MBK)

Honorable Michael B. Kaplan

**APPLICATION FOR ORDER SHORTENING TIME ON THE J&J PARTIES' (I)
MOTION FOR ENTRY OF A PROTECTIVE ORDER; AND (II) MOTION TO FILE
CONFIDENTIAL EXHIBIT UNDER SEAL**

¹ The last four digits of the Debtor's taxpayer identification number are 6622. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933.

Applicants, Johnson & Johnson (“J&J”), and Johnson & Johnson Holdco (NA) Inc. (“Holdco”) (together, the “J&J Parties”), by and through their counsel, hereby request that the time period for the (I) *Motion For Entry of A Protective Order* (the “Motion For Protective Order”), and (II) *Motion to File Confidential Exhibit Under Seal* (the “Seal Motion”)² as required by New Jersey Local Bankruptcy Rule 9013-2(a) be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), and that an order be entered substantially in the form submitted herewith (“Order Shortening Time”), for the reason(s) set forth below:

1. As set forth in the Motion For Protective Order, the J&J Parties filed the Motion for entry of a protective order precluding the Official Committee of Talc Claimants (the “TCC”) from seeking overbroad and burdensome discovery regarding the transfer of the consumer health business from Holdco’s predecessor company, Johnson & Johnson Consumer Inc., and the separate spin-off of Kenvue Inc. (together, the “Consumer Health Transactions”). Specifically, under the guise of purportedly appraising LTL’s “financial distress” in connection with its *Motion of the Official Committee of Talc Claimants to Dismiss the Second Bankruptcy Petition of LTL Management, LLC* [Dkt. No. 286-1] (“TCC Motion to Dismiss”), and despite informing this Court less than a month ago that no new discovery was necessary in connection with the TCC Motion to Dismiss, the TCC served broad discovery requests on the J&J Parties and LTL, a Rule 30(b)(6) deposition notice on the J&J Parties, and issued six non-party subpoenas to certain banks, rating agencies and a PR firm, all seeking broad discovery regarding the Consumer Health Transactions (collectively, the “Consumer Health Transaction Discovery”). There is no plausible link between the issues relevant to the pending TCC Motion to Dismiss and the requested discovery about the Consumer Health Transactions, and the TCC should not be

² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms in the Motion For Protective Order.

permitted to take wide-ranging discovery for putative fraudulent transfer claims that are not before this Court, and that the TCC lacks standing to bring.

2. Likewise, as set forth in the Motion to Seal, the Motion For Protective Order contains a confidential exhibit (Exhibit 2) – an excerpt from the Deposition of Michelle Ryan dated January 27, 2022 - which has been designated as confidential pursuant to the Agreed Protective Order Governing Confidential Information entered in the LTL I case, Case No. 21-30589 [Docket No. 948] (the “Confidentiality Order”).

3. The next omnibus hearing date in this Chapter 11 Case is scheduled for June 13, 2023, however, the J&J Parties need immediate relief as they continue to be harmed by the TCC’s overbroad discovery requests. Specifically, the parties are currently contemplating May 31, 2023 as the deadline for fact discovery, which is only 6 days from the filing of the Motion For Protective Order, the Seal Motion, and this Application. The TCC has indicated that it intends to depose as least 11 witnesses. The depositions of witnesses have already commenced and are scheduled to continue next week. The TCC has also set response dates this week and next week for the subpoenas it issued to certain non-parties that include broad requests for information regarding the Consumer Health Transactions. Given the TCC’s insistence that the J&J Parties produce documents and provide deposition testimony regarding the Consumer Health Transactions, and that the subpoenas issued to third-parties with pending response deadlines, it is paramount that this issue be resolved as soon as possible. The J&J Parties submit that shortening the notice on the Motion for Protective Order and Seal Motion is not prejudicial to any party involved. Therefore, the J&J Parties respectfully request that the Court enter the Order Shortening Time and schedule a hearing on the Motion For Protective Order and the Seal Motion for May 26, 2023 at 10:00 a.m. or as soon thereafter as is practicable. The J&J Parties will make themselves available at the Court’s convenience.

4. Reduction of the time period requested by this Application is not prohibited under Fed. R. Bankr. P. 9006(c)(1).

WHEREFORE, the J&J Parties respectfully request that this Court (i) grant the Application, (ii) enter the Order Shortening Time substantially in the form submitted herewith, and (iii) grant such other and further relief as it deems necessary and appropriate.

Dated: May 25, 2023

Respectfully submitted,

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